

RECEIVED
CENTRAL FAX CENTER

APR 14 2009

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application No.: 10/542,180
Filed: 19 December 2005
By: Kunze et al.
For: Baked Rye Product

Examiner: Krause, Andrew E.
Group Art Unit: 4152
Confirmation No.: 7854

P.O. Box 381516
Cambridge, MA 02238-1516
14 April 2009

Hon.
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Letter of Enquiry and Provisional Petition under 37 C.F.R. 1.8(b)


Sir:

On 24 January 2009, a few days after receiving instructions from his foreign associate, the undersigned attorney personally despatched as First Class Mail with the United States Postal Service an amendment (copy enclosed) responsive to the Official Action dated 30. October 2008. A copy of the response was also sent to the foreign associate with a bill for the attorney's fees.

Further investigation prompted by the non-payment of the bill has resulted in the finding that to date the post card receipt accompanying the despatch has not been returned, and the private PAIR system gives no indication of the Patent and Trademark Office having received the response.

Applicants having timely filed their response to the Office Action, they pray that examination of their instant application be continued on the basis of the enclosed copy of their response.

Respectfully submitted,


Karl Hormann
Registration No.: 26,470

Area Code 617.491.8867

Attorney Docket

-1-